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Dee May
Director
Federal Regulatory

EX PARTE OR LATE FILED



March 14, 2000

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ex Parte

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: CC Docket No. 98-147: In the Matter of Deployment of Wireline Services
Offering Advanced Telecommunications Services, Sprint Petition for Reconsideration

Dear Ms. Salas,

Bell Atlantic met today with Ms. Rebecca Beynon of Commissioner Furchtgott-Roth's office. Representing Bell Atlantic were Mr. Jamie Virga and me. The positions presented by Bell Atlantic are represented in the attached documents.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Dee May".

Attachments

cc: R. Beynon
W. Kehoe

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List ABCDE

CONVERSION OF VIRTUAL COLLOCATION, IN-PLACE, INTO CAGELESS COLLOCATION

- A LEC should not be required to convert a virtual arrangement where a viable physical collocation option was available and the CLEC chose virtual collocation
- No commingling should be required until all unused physical collocation space is utilized, including unused collocator space
- A LEC should not be required to convert a specific virtual collocation arrangement, in-place, to cageless physical collocation if it can demonstrate to the state commission;
 - That it would create a real security issue
 - That providing cageless collocation in another location in the same office would not be more expensive to the collocator or more disruptive to existing customers than conversion in-place
- Conversions should be permitted only for virtual collocation arrangements that were implemented prior to the effective date of the LEC's cageless collocation tariffs (Per FCC 706 Order-- 6/1/99)
- Collocators should be given no more than a 60 day period to request conversions of existing virtual collocation arrangements that meet the above criteria
- A collocator should not be permitted to order virtual collocation in the future and later request conversion to physical collocation

INTERVALS

- National guidelines for provisioning collocation space should not be enacted unless a State commission has not set provisioning intervals within 6 months of the release of this Order;
 - If a state has already set intervals, they should remain in place
 - If a state is in the process of setting intervals, those proceedings should continue
 - If a state fails to act within 6 months, the FCC should develop a national standard that reflects the considerations outlined in Bell Atlantic's Ex-Parte dated December 17, 1999 (attached) and reflected in the intervals established in NY with the PSC's guidance

December 15, 1999

Physical Collocation Provisioning Intervals

The physical collocation provisioning intervals that are established by the states must be flexible enough to account for factors that are beyond the ILEC's control. Bell Atlantic's experience in providing collocation has shown that a single provisioning interval is not feasible for all physical collocation applications, due to the unpredictability of demand and the varying conditions in each office. Accordingly, provisioning intervals should vary depending on whether the collocator has provided a forecast, whether the ILEC has received unusual levels of requests for collocation, and whether the collocation request requires special construction. Also, provisioning intervals should not commence until an application that is incomplete or inaccurate has been corrected since the ILEC cannot begin to process an application without all of the required information.

State commissions are actively involved in setting provisioning intervals for collocation and in doing so have established standard intervals which vary by state and which include provisions as discussed above and further outlined below. These state specific intervals include performance measures and penalties based on parameters agreed to by the ILEC and the state commission as part of a package.

Standard Interval With Forecasts

CLECs have the ability to forecast their demand for physical collocation. Forecasts give an ILEC the ability to adjust its work force and to develop plans to respond to CLEC demand. Where a CLEC has provided a forecast of its need for collocation for the next six months or more, the provisioning interval should be the state commission established standard interval to complete the physical collocation build out. If a CLEC does not provide a forecast or if a single CLEC submits more than 20 applications in a single week, the provisioning interval should be extended as discussed below.

Interval Without Forecasts

When a CLEC does not provide a forecast, the ILEC should be permitted to extend the interval by up to 3 months to complete the build out. This flexibility is needed because the lack of a forecast impedes the ability of the ILEC to allocate resources efficiently, to plan construction jobs, and to rearrange office space as needed. An extended interval would provide the ILEC with the ability to adjust for unexpected demand, and it would provide an incentive for the CLECs to submit forecasts.

Spikes in Demand

When an ILEC experiences a spike in demand, it may not have sufficient resources to handle all of the requests within the standard timeframes. Spikes should be defined as orders for collocation that are 20% greater than the monthly average for the preceding three months within a LATA. In this situation, the ILEC should be permitted to extend the interval by up to 3 months to complete the build out. Spikes in demand are different from a situation where a CLEC places a high volume of orders for collocation in a single week.

Volume Orders

When a CLEC places 20 or more orders for physical collocation in a single week, it places resource constraints on both the ILEC and CLEC workforce. In these situations, the interval should be negotiated between the CLEC and the ILEC in order to stagger the delivery dates of the collocation space.

Special Construction

When significant modifications to building infrastructure are required to provision a request for collocation, the interval should be negotiated between the parties. The negotiated date will be provided in writing to the CLEC in 15 business days. Potential conditions would fall under the category of Special Construction include:

Converting Administrative space in C.O. to Collocation space

Creating a new Collocation area in a C.O.

Building Addition to C.O.

Removal of existing C.O. equipment and reclassifying as Collocation space

Converting unused equipment space to Collocation space

Expanding HVAC equipment, electrical distribution and grounding service

Building reconfiguration for security requirements